



March 26, 1999

ENGROSSED HOUSE BILL No. 1941

DIGEST OF HB 1941 (Updated March 24, 1999 10:00 pm - DI 51)

Citations Affected: IC 31-37.

Synopsis: Operating while intoxicated and juveniles. Specifies that a juvenile court must recommend the immediate suspension of a child's driving privileges if the child is alleged to have committed an act that would be an offense under the law concerning operating a vehicle while intoxicated if committed by an adult. Specifies that a juvenile court must, in addition to any other order or decree the court makes, recommend the suspension of a child's driving privileges if the child is a delinquent child due to the commission of a delinquent act that, if committed by an adult, would be an offense under the law concerning operating a vehicle while intoxicated. Provides procedures for reinstatement of the driver's license.

Effective: July 1, 1999.

Thompson, Crooks, Dillon

(SENATE SPONSORS — JACKMAN, BLADE, WOLF, ALTING)

January 26, 1999, read first time and referred to Committee on Courts and Criminal Code.
February 22, 1999, amended, reported — Do Pass.
March 1, 1999, read second time, ordered engrossed. Engrossed.
March 3, 1999, read third time, passed. Yeas 99, nays 0.

SENATE ACTION

March 8, 1999, read first time and referred to Committee on Judiciary.
March 25, 1999, amended, reported favorably — Do Pass.

EH 1941—LS 7953/DI 69+



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March 26, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

ENGROSSED HOUSE BILL No. 1941

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-37-5-7 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1999]: **Sec. 7. (a) If a child is alleged to have committed an act**
4 **that would be an offense under IC 9-30-5 if committed by an adult,**
5 **a juvenile court shall recommend the immediate suspension of the**
6 **child's driving privileges as provided in IC 9-30-5. If a court**
7 **recommends suspension of a child's driving privileges under this**
8 **section, the bureau of motor vehicles shall comply with the**
9 **recommendation of suspension as provided in IC 9-30-6-12.**

10 **(b) If a court recommends suspension of a child's driving**
11 **privileges under this section, the court may order the bureau of**
12 **motor vehicles to reinstate the child's driving privileges as**
13 **provided in IC 9-30-6-11.**

14 SECTION 2. IC 31-37-19-17.3 IS ADDED TO THE INDIANA
15 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 1999]: **Sec. 17.3. (a) This section applies if a**

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1 child is a delinquent child under IC 31-37-1 due to the commission
 2 of a delinquent act that, if committed by an adult, would be an
 3 offense under IC 9-30-5.

4 (b) The juvenile court shall, in addition to any other order or
 5 decree the court makes under this chapter, recommend the
 6 suspension of the child's driving privileges as provided in
 7 IC 9-30-5. If a court recommends suspension of a child's driving
 8 privileges under this section, the bureau of motor vehicles shall
 9 comply with the recommendation of suspension as provided in
 10 IC 9-30-6-12.

11 (c) If a court recommends suspension of a child's driving
 12 privileges under this section, the court may order the bureau of
 13 motor vehicles to reinstate the child's driving privileges as
 14 provided in IC 9-30-6-11.

15 SECTION 3. IC 31-37-19-18 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 18. If the court orders
 17 invalidation or denial of issuance of a driver's license or permit as
 18 described in section 4, 13, 14, 15, 16, ~~or 17~~, or **17.3** of this chapter (or
 19 IC 31-6-4-15.9(c), IC 31-6-4-15.9(d), IC 31-6-4-15.9(e), or
 20 IC 31-6-4-15.9(f) before the repeal of IC 31-6-4-15.9):

- 21 (1) the bureau of motor vehicles shall comply with the order for
 22 invalidation or denial of issuance; and
 (2) the child shall surrender to the court all driver's licenses or
 permits of the child and the court shall immediately forward the
 licenses or permits to the bureau of motor vehicles.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1941, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 6, delete "IC 9-30-5" and insert "**IC 9-30-6**".

and when so amended that said bill do pass.

(Reference is to HB 1941 as introduced.)

DVORAK, Chair

Committee Vote: yeas 13, nays 0.

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EH 1941—LS 7953/DI 69+



COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred House Bill No. 1941, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 3, after "7." insert "(a)".

Page 1, line 6, delete "IC 9-30-6." and insert **"IC 9-30-5. If a court recommends suspension of a child's driving privileges under this section, the bureau of motor vehicles shall comply with the recommendation of suspension as provided in IC 9-30-6-12."**

(b) If a court recommends suspension of a child's driving privileges under this section, the court may order the bureau of motor vehicles to reinstate the child's driving privileges as provided in IC 9-30-6-11."

Page 1, line 16, after "IC 9-30-5." insert **"If a court recommends suspension of a child's driving privileges under this section, the bureau of motor vehicles shall comply with the recommendation of suspension as provided in IC 9-30-6-12."**

(c) If a court recommends suspension of a child's driving privileges under this section, the court may order the bureau of motor vehicles to reinstate the child's driving privileges as provided in IC 9-30-6-11."

and when so amended that said bill do pass.

(Reference is to HB 1941 as printed February 23, 1999.)

BRAY, Chairperson

Committee Vote: Yeas 7, Nays 0.

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